

APPEAL NO. 041335  
FILED JULY 20, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 10, 2004. The hearing officer resolved the disputed issue by determining that the respondent's (claimant) \_\_\_\_\_, compensable injury extends to and includes a cervical strain, cervical somatic dysfunction, and headaches after September 24, 2002. The appellant (self-insured) appeals this determination. The claimant urges affirmance of the hearing officer's decision.

DECISION

Affirmed.

The disputed issue in this case was a factual question for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and it is for the hearing officer to resolve such conflicts and inconsistencies in the evidence as were present in this case (Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ)). It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). We cannot agree, as the self-insured contends, that in making her decision, the hearing officer misinterpreted the medical report of Dr. K. Rather, the hearing officer explained that "the intent of [Dr. K's] report is difficult to ascertain," but also noted that the report could be interpreted as supporting the self-insured's position. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

---

Chris Cowan  
Appeals Judge

CONCUR:

---

Thomas A. Knapp  
Appeals Judge

---

Veronica L. Ruberto  
Appeals Judge